



Federal Emergency Management Agency

Region V

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Dealing with “DEBRIS” When Disaster Strikes

In time of disaster, Debris Management is a priority for National, State, and local agencies, as well as certain eligible Private Non-Profit entities (PNPs). The Federal Emergency Management Agency (FEMA) has placed this issue at the forefront and will work closely with your entity to provide policies and guidance for the removal and disposition of debris caused by an event and/or a major disaster.

The following are recommended actions only:

For the State:

- Conduct Pre-disaster Debris Management training throughout the State with FEMA support.
- Develop a State/Local Debris Management Strategy.
- Train local debris monitors that would be eligible for FEMA reimbursement during a declared event.
- Involve State regulatory entities such as Departments of Natural Resources (DNR), Environmental Quality (DEQ), Environmental Protection (DEP) or equivalent agencies.

For FEMA:

- Furnish the State and local entities with a sample strategy for use as a model.
- Provide web-based/internet resources including Debris Operations Course. Go to (fema.gov) search and enter (Debris

Management guide) publication FEMA-325, dated April 1999.

- At the time of a Preliminary Damage Assessment (PDA), furnish field personnel in affected areas to present a debris operations introduction explaining FEMA's requirements to all potential Applicants.

Debris Eligibility Criteria

- ♦ Eliminate immediate threat to lives, public health, and safety;
- ♦ Eliminate immediate threats of significant damage to improved public or private property;
- ♦ Ensure economic recovery of the affected areas to the benefit of the community-at-large; and
- ♦ Be a direct result of the declared event.

Reimbursement Guidelines

DOCUMENTATION – This must begin immediately and is critical to capturing and recovering all eligible costs.

LABOR – Document all working dates & hours, regular and overtime of regular employees, extra hires & temporary employees.

EMERGENCY WORK – (Category “A” – Debris Removal), only overtime force account labor (including fringes), and regular and overtime (w/fringes) for temporary hires is eligible.

EQUIPMENT – All applicant owned equipment hours performing eligible work are

eligible and are reimbursed on basis of established equipment rates (lesser of approved local rates or FEMA schedule, and in some cases approved state rates). Rented equipment costs are also eligible.

DONATED RESOURCES – Document donated resources in the same manner as FA costs. Identify the value of services rendered.

CONTRACT – Reasonable contract costs (Applicant should consult with FEMA for assistance for determination of reasonableness).

MATERIALS – Reasonable costs for materials used to accomplish eligible work.

TIME & MATERIALS CONTRACTS - Time and Materials Contracts should not exceed 70 hours of actual emergency debris clearance work. This 70-hour period is allowed for the most critical period to open roads for access for emergency services and the general public. Contracts for debris removal and disposal work after this time period must be competitively bid per/cubic yard, per/ton, or on a lump sum basis with a clearly defined scope of work to qualify for FEMA reimbursement.

UNIT PRICE CONTRACTS: Based on weights (tons) or volume (cubic yards) of debris hauled, and should be used when the scope of work is not well defined. They require **close monitoring** of pick-up, hauling and dumping to ensure that the quantities are accurate. Unit price contracts may be complicated by the need to segregate debris for disposal.

LUMP SUM CONTRACT: Establish the total contract price using one-item bid from the contractor. This should be used only when the scope of work is clearly defined, with areas of work and quantities of material clearly defined. Lump sum contracts can be defined in one of two ways: **Area Method** where the scope of work is based on a one-time clearance of a specified area; and **Pass Method** where the scope of work is based on a certain number of passes through a specified area, such as a given distance along a right-of-way.

□ **Contract Review**: All contracts should be reviewed by FEMA for eligibility and reasonableness.

□ **Sample Request for Proposal**: Attached.

□ **Sample Contract**: Attached.

□ **Monitor**: FEMA/State Monitors will review all ongoing debris operations, contracts, permits, and practices to insure compliance. FEMA encourages and will reimburse the Applicant for local monitoring.

□ **Reasonable Contract Cost**. The debris removal contract bid cost will vary based on the following: amount of eligible debris, density, amount of eligible hangers, amount and size of eligible stumps to be removed, final disposition of the collected debris, length of haul to a certified disposal site, whether chipping or reduction is involved, and possible tipping fees. FEMA will take all of these factors into account when determining reasonableness of a contract.

Applicants should exercise judicious care in contracting for debris operations, since by law, FEMA is authorized only to assist with reasonable costs.

FEMA does not recommend, pre-approve, or certify any debris contractor. FEMA does not certify or credential personnel other than official employees and Technical Assistance Contract personnel assigned to the disaster by FEMA. Only FEMA has the authority to make eligibility determinations.

DEBRIS REMOVAL FROM PRIVATE PROPERTY

• Debris removal from private property is the responsibility of the individual property owner.

• Private property owners may place storm related debris at the edge of the right-of-way (R.O.W.) for collection and disposal by an eligible entity.

• Pick up schedule must be included in the bidding scope. If there is to be more than one pass, the number of passes must be spelled out in the Request for Proposal (RFP).

When it is in the public interest for an eligible Applicant to remove debris from private property, the following criteria must exist:

- Must be so widespread that public health, safety, or the economic recovery of the community is threatened (Approval by FEMA).
- Clearance of living, recreational, and working areas is eligible within a 150' radius of the essential eligible dwelling to allow ingress, egress, and for fire protection. (Approval by FEMA).
- Right of Entry Agreement must be obtained by the Applicant to indemnify the Federal government against any claim arising from such removal.
- Any eligible insurance proceeds must be considered prior to any FEMA participation (funding).

FAILURE TO COMPLY WITH THESE RULES, REGULATIONS AND CONTRACT REQUIREMENTS MAY RESULT IN LOSS OF FEMA FUNDING.

References: 44 CFR §206.224 - FEMA 235 (PA Debris Management Guide) – FEMA 9580.1 (PA Operations Job Aid)

OPTIONS & GUIDANCE FOR DISPOSAL OF DEBRIS

- Burning of treated poles or other hazardous waste is PROHIBITED.
- Temporary or permanent debris storage areas must be located above the 100-year floodplain and outside known wetlands.
- Chipping or cutting trees and limbs for re-use or for volume reduction for disposal in a landfill or burial on-site is recommended.
- Emergency disposal sites may be established for burning tree limbs (curtain burning) and burying the ashes or tree limbs. (*This may be the most economical option for disposal in remote areas*) but requires Environmental approval and permitting.

□ Disposal of debris must be at a permitted landfill for the type of debris involved.

□ No stump removal or grinding is authorized unless it is the applicant's standard operating procedure. Applicant must obtain FEMA approval prior to any stump removal or grinding.

SELECTING DEBRIS STORAGE SITES

VARIES STATE TO STATE

- The guidelines as set forth in the State Department of Environmental Quality (DEQ) or other ruling authority (consult the Green Book) shall apply. Storage and disposal sites chosen by the applicant must meet all legal requirements.
- Once the applicant selects a debris storage site, the applicant is required to contact the local DEQ Environmental Specialist to inspect their site location and complete the DEQ "Emergency Disposal Site Evaluation and Registry" form (See Attachment). This may vary by State.
- The applicant fills out the first portion of the form and the DEQ Environmental Specialist fills out the Guidelines For Emergency Burning, Burial and/or Stockpiling of Solid Waste section of form. This may vary by State.
- The applicant then faxes the form to the State Historic Preservation Office who determines if the site will have any impact on cultural or historic resources and faxes the form back to the applicant. This may vary by State.
- The Applicant retains the form and supplies a copy to the FEMA Public Assistance Coordinator or Project Officer who makes it a part of the debris Project Worksheet

Sample Emergency Debris Management Site Certification Form

_____ **FEMA-** _____ **-DR-** _____

This form is a checklist for local officials who want to apply for FEMA funding for debris management activities which requires compliance with all Federal, state, and local environmental regulations. The completion of this form will facilitate FEMA's environmental and historic preservation review as required by law. **The _____ requires all debris, other than woody vegetation, be disposed of in a State Permitted landfill.**

Applicant (Agency): _____

Address: _____ City: _____ Zip Code: _____

Telephone #: _____ Fax #: _____ County: _____

_____ **approves of the woody debris management methods below.**

Please check method(s) used:

- ☐ Chipping or reduction on site and returning to the place of generation.
- ☐ Chipping or reduction on site and leaving for local residents to recycle and/or use for firewood.
- ☐ Stockpiling at a site previously approved by the _____.
- ☐ Hauling to municipal solid waste landfills, transfer facilities, or composting facilities.
- ☐ Working with private timber or lumber companies so that debris can be processed for reuse.
- ☐ Other: _____.

IF WOODY VEGETATION IS STAGED OR STOCKPILED AT A SITE OTHER THAN A LICENSED LANDFILL, COMPLETE THE REMAINDER OF THE FORM AND CONTACT:

_____ **AT** _____ **FOR SITE INSPECTION. IF NO STAGING SITE IS USED, ONLY APPLICANT SIGNATURE IS NEEDED.**

Staging or Disposal site: GPS Lat-Long _____ Directions to Site: _____

Requirements for Emergency Woody Debris Staging Sites - Failure to comply with environmental requirements may jeopardize funding.

- ☐ Located above the 100-year floodplain and outside of wetlands. (The floodplain map used for locating the site shall be an original Flood Insurance Rate Map prepared by the FEMA, a copy of the flood Prone Area Map prepared by the US Geological Survey or a National Wetlands Inventory map that depicts the limits and elevations of any 100 year floodplain or wetland on or adjacent to the proposed site.)
- ☐ Located at least ¼ mile from a public or private water supply (surface or ground).
- ☐ The site has security to minimize uncontrolled dumping and any dumping of solid waste.
- ☐ Provisions are in place to ensure that regulated hazardous waste, radioactive waste, regulated polychlorinated biphenyls (PCB) wastes or regulated infectious wastes are excluded.
- ☐ If any debris is taken to a transfer facility, it must be a facility approved for operation in Ohio.
- ☐ All debris management practices must follow applicable regulatory requirements regarding storage, transportation, treatment, and disposal.
- ☐ Burning of debris, other than in unrestricted areas as defined by _____, is prohibited, unless expressly authorized by _____. Contact _____ for guidance on all regulatory requirements, as needed.

I certify that _____ has complied with all the above conditions:

Applicant's Representative _____
Print / Sign _____ Date _____

Agency Certification – The above referenced site meets all requirements of _____.

Signed _____ Date: _____
EPA Official's Signature

Sample Request for Proposal (RFP)

◆Notice to Bidders for Debris Removal ◆

Any Town Township, Any State

Sealed proposals will be received by the Any Town Township Trustees, at the Office of the Clerk, Any Name, Any Street, Any Town Township, Any State until any time local time on any date for the Clearing, Collecting, Grinding and Disposal of natural debris from _____ miles of roadways in Any Town Township, including public right-of-way _____ feet from center of pavement on both sides of roadways, unless fencing or some other type of barrier prevents access to debris.

Bids will be opened and read aloud at the special meeting of the Trustees to be held on _____/_____/200__ at _____ AM/PM.

Copies of the specifications and other proposed contract documents are on file, open to the public inspection and available for procurement by potential bidders/contractors at the Office of the Clerk.

All proposals must be accompanied by bid guaranty in accordance with the Clerk. All proposals must be accompanied by Bid Guaranty and Performance Bond in accordance with Section _____, Any State Revised Code, payable to the Any Town Township Trustees or a letter of explanation concerning the acquisition of said bid guaranty.

Bidders shall note that the Rules and Regulations on Equal Opportunity Employment and the State Prevailing Wage Rates are to be complied with during this project.

The Any Town Township Trustees reserve the right to reject any or all bids and to waive informalities.

Bids must be submitted on the bid form with the appropriate bond documentation in a sealed envelope labeled and delivered as follows:

“Removal and Disposal of Natural Debris within Any Town Township”

Any date, _____ AM/PM

Any Name, Office of Clerk

Any Address

Any City, Any State, Zip code

SCOPE OF WORK

The purpose of this contract is to provide clearing, collecting, disposal and/or reduction of natural debris within Any Town Township.

All prospective bidders on this project are hereby notified that the Township will conduct _____ site inspection tours of the affected areas of the township to acquaint the prospective bidders of the scope of the project.

Site inspection tours are scheduled for ____/____/200__ and ____/____/200__ at _____ AM and _____ PM daily.

It is estimated that there are approximately _____ cubic yards of vegetative debris within the ROW.

It is estimated that there are approximately _____ cubic yards of vegetative debris to be brought to the ROW.

It has been identified that there are _____ uprooted trees to have the stumps disposed of and the resulting cavities filled.

Broken/hanging limbs of 2" or greater over the ROWs where pedestrians or automobiles travel are to be removed as directed by the contracting agency and is included as part and parcel of the bid.

The successful bidder will be required to complete _____ passes through the jurisdiction to pick up debris brought to the edge of the ROW by homeowners.

Option: All vegetative debris may or may not be chipped to reduce the volume and/or disposed of as follows:

Quantities as identified within the RFP are estimates only and it is the responsibility of the prospective bidder to verify quantities. The Bid will be based on these estimates but submitted as a Lump Sum Bid.

The work to be done consists of furnishing all materials, equipment and labor for the removal and final disposal of natural debris in *Any Town Township* as a result of the *Any Date Storm*.

Time allotted for this work is _____ days.

Contractor is responsible for debris removal and disposal from _____ miles of Township roadways including _____ feet from the centerline of pavement on both sides of roadways, unless fencing or some other type of barrier prevents access to debris.

Contractor shall also remove and dispose of all "hangers" (broken 2" branches or greater in size) over Public Right of Ways where pedestrian or vehicular traffic is normally expected to travel.

Contractor shall remove and dispose of natural debris placed at the edge of roadway by residents.

Contractor shall also be required to remove _____ uprooted stumps that pose a hazard within _____ feet of center of pavement and fill the cavities.

Contractor to remove any natural debris hindering water flow of creeks or ditches where flow restriction may cause damage to bridges or culverts, normally within 200' of said structures or facilities.

The debris may be taken to the TDS (temporary disposal site) as designated by *Any Town Township Trustees*. The contractor shall be responsible for the operation of the TDS for the duration of the contract.

Residents of *Any Town Township* will be permitted to dispose of natural debris at the TDS. The final disposition of all debris will be the responsibility of the contractor.

The contractor is responsible for obtaining all required permits and meeting all environmental requirements. Eligible debris shall include only damaged and disturbed trees, bushes and shrubs as a result of the _____ storm of ____/____/200__.

The contractor shall be responsible for removal of all debris from the TDS and return of the TDS to its original condition as approved by the contracting agency.

PERFORMANCE SCHEDULE

The contractor shall commence performance within 15 calendar days from awarding bid and be completed within _____ days. Liquidated damages shall be assessed at \$ _____ per calendar day for any time over the maximum allowable time established by the contract.

The contractor shall provide a work schedule each Monday showing what roads are to be cleared for that week.

INSURANCE AND BONDS

All proposals must be accompanied by a bid guaranty in accordance with section _____ , *Any State* Revised Code, payable to the *Any City Township Trustees*.

The contractor shall deliver to the contracting agency a fully executed Performance and Payment bond in the amount of 100% of the contract amount.

The contractor shall furnish proof of Workers' Compensation Coverage, Automobile Liability Coverage, and Comprehensive General Liability Insurance before commencing work on the project.

OTHER CONSIDERATIONS

The contractor shall supervise and direct the work, using skillful labor and proper equipment for all tasks. Safety of the contractor's personnel and equipment is the responsibility of the contractor.

All Contractor trucks and other equipment shall be in compliance with all applicable Federal, State and local rules and regulations.

The contractor shall obtain all permits necessary to complete the work and shall be responsible for determining what permits are necessary to perform under the contract.

All activity associated with this project shall be performed during visible daylight hours only. The contractor may work seven (7) days per week, including holidays.

Sample Bid Form

ANY TOWN TOWNSHIP TRUSTEE

BID FORM

To: Hereinafter called “Contracting Agency”

Any Town Township Trustees

Any Post office Box

Any City, Any State, Zip Code

1. The undersigned, having examined the proposed Contract Documents titled: **“Removal and Disposal of Natural Debris on Township Roads and right-of-ways of Any Township roads”** and having visited the site and examined the conditions affecting the work, hereby proposes and agrees to furnish all labor, materials, equipment and appliances, and to perform operations necessary to complete the work as required by said contract documents, for the lump sum price of:

ENTIRE WORK AS SET FORTH IN THE SCOPE OF WORK FOR THE TOTAL AMOUNT OF: _____ **DOLLARS**
(\$ _____)

2. If awarded the Contract, the undersigned agrees to complete all work of the contract as required by said proposed contract documents in not more than _____ calendar days after receipt of the Owner’s Notice to Proceed.
3. The undersigned understands and agrees to comply with and be bound by instructions to bidders issued for this work.
4. Enclosed is Bid Guaranty in accordance with section _____, Any State Revised Code payable to the Any Town Township Trustees.

Contractor Company Name _____

Contractor Address _____

City _____ State _____ Zip _____ Fed ID: _____

Phone# (_____) _____

Fax# (_____) _____

Cell# (_____) _____

Signature: _____

Print Name: _____

Date Submitted: ____/____/200____

ACKNOWLEDGEMENT
OF DEBRIS CONSULTATION

I have meet with the representative of the Federal Emergency Management Agency (FEMA) regarding management and disposal of debris and am cognizant of eligibility criteria involved, including the 70-hour rule, force account documentation and contractual issues as they may apply to the event of ____/____/200__.

I am also aware that failure to comply with these rules, regulations and contract requirements may result in loss of FEMA funding.

Name of the Entity: _____

Address/Location: _____

Signatures:

Entities Representative

FEMA Representative

Date: ____/____/200__